

Adopted	Rejected
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## COMMITTEE REPORT

YES:	7
NO:	0

### MR. SPEAKER:

*Your Committee on* **Family, Children and Human Affairs**, to which was referred  
Senate Bill 104, has had the same under consideration and begs leave to report the same  
back to the House with the recommendation that said bill **be amended** as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 12-17.2-2.5 IS ADDED TO THE INDIANA
- 4       CODE AS A NEW CHAPTER TO READ AS FOLLOWS
- 5       [EFFECTIVE JULY 1, 2007]:
- 6       **Chapter 2.5. Child Care Advisory Committees**
- 7       **Sec. 1. The division shall establish a child care advisory**
- 8       **committee for each of the following categories of child care:**
- 9       **(1) Child care homes.**
- 10       **(2) Child care centers.**
- 11       **Sec. 2. The purpose of each committee is to provide to the**
- 12       **division information, advice, and assistance concerning**
- 13       **implementation of child care regulations.**
- 14       **Sec. 3. Each committee must consist of members appointed:**
- 15       **(1) by the director or the director's designee; and**
- 16       **(2) to provide diversity in representing the types of child care**

1           **that comprise the committee's category specified in section 1**  
 2           **of this chapter, including size, licensure status, accreditation**  
 3           **status, and geographic location in Indiana.**

4           **Sec. 4. Meetings of each committee must be held on a quarterly**  
 5           **basis.**

6           **Sec. 5. The child care administrator of the division (or the child**  
 7           **care administrator's designee) and other representatives of the**  
 8           **division shall attend the meetings of each committee.**

9           **Sec. 6. Each committee shall annually report to the committee**  
 10          **on child care established by IC 12-17.2-3.3-2 concerning the**  
 11          **committee's activities during the previous year.**

12          **Sec. 7. Members of each committee serve without**  
 13          **compensation."**

14          Page 3, after line 22, begin a new paragraph and insert:

15          "SECTION 3. IC 12-17.2-5-7.5 IS AMENDED TO READ AS  
 16          FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7.5. (a) The license  
 17          issued to a person for the operation of a child care home under section  
 18          7 of this chapter shall indicate whether the child care home is licensed  
 19          as a class I child care home or a class II child care home.

20          **(b) Except as provided in subsection (d), a person who:**

- 21           (1) holds a license to operate a class I child care home; and
- 22           (2) at any time serves a number of children greater than the
- 23           number allowed under IC 12-7-2-33.7;

24          is subject to sanctions under section 33 of this chapter, a civil penalty  
 25          under section 34 of this chapter, and the criminal penalty set forth in  
 26          section 35 of this chapter.

27          **(c) Except as provided in subsection (d), a person who:**

- 28           (1) holds a license to operate a class II child care home; and
- 29           (2) at any time:
  - 30           (A) serves a number of children greater than the number
  - 31           allowed under IC 12-7-2-33.8; or
  - 32           (B) fails to comply with the requirements for class II child care
  - 33           homes set forth in section 6.5 of this chapter;

34          is subject to sanctions under section 33 of this chapter, a civil penalty  
 35          under section 34 of this chapter, and the criminal penalty set forth in  
 36          section 35 of this chapter.

37          **(d) The division may grant a temporary waiver to allow a class**  
 38          **I child care home or class II child care home to serve a greater**

1       **number of children than the number allowed under IC 12-7-2-33.7**  
2       **or IC 12-7-2-33.8. If the division grants a temporary waiver under**  
3       **this subsection, the division shall explicitly state on the temporary**  
4       **waiver:**  
5               **(1) when the temporary waiver expires; and**  
6               **(2) the number of children that the child care home is**  
7               **temporarily permitted to serve."**

8       Renumber all SECTIONS consecutively.

(Reference is to SB 104 as printed February 16, 2007.)

**and when so amended that said bill do pass.**

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Representative Summers